

ORDER OF COMMISSION

Objection filed by IBEW Local Union No. 1, on April 9, 2004 as amended April 16, 2004, to Annual Wage Order No. 11, pertaining to the occupational title of Electrician/Inside Wireman, statewide (Objection No. 003), issued by the Division of Labor Standards, Department of Labor and Industrial Relations, filed with the Secretary of State: March 10, 2004.

On April 9, 2004, IBEW Local No. 1 (Objector) filed the above-referenced objection (Objection No. 003) to Annual Wage Order No. 11 with the Labor and Industrial Relations Commission (Commission). On April 16, 2004, Objector filed its Amended Objection. On May 5, 2004, a pre-hearing conference was convened on the objection. The Eastern Missouri Laborers' District Counsel and its affiliated local unions (Intervenors) were granted status as Intervenors in this cause. The Commission received no other objections with respect to the occupational title of Electrician/Inside Wireman, statewide.

On May 19, 2004, a hearing was convened in the above-referenced objection. All parties were present and represented by counsel.

I. Issue

Whether, for purposes of Annual Wage Order No. 11, the definition for the occupational title of Electrician/Inside Wireman (8 CSR 30-3.060(8)(G)1.B.) should be modified as proposed by the Amended Objection?

II. Findings of Fact

The Objector and Division presented evidence in this matter in the form of pre-filed affidavits as described in the May 11, 2004, prehearing order. The Commission entered the prehearing into the record. The Commission also received into evidence a joint Stipulation of Fact submitted by Objector, Intervenors and Division of Labor Standards (Division) with regard to Objection No. 003. The Stipulation of Fact recites the language that the Objector, Intervenor, and Division agree accurately reflects the agreed definition of Electrician/Inside Wireman statewide. The Stipulation of Fact is attached hereto and incorporated by this reference.

III. Conclusions of Law/Decision

The Commission adopts the definition reflected in the Stipulation of Fact. The Commission orders that the language in the attached Stipulation of Fact setting forth the definition for the occupational title of Electrician/Inside Wireman, statewide, be made part of Annual Wage Order No. 11.

Given at Jefferson City, State of Missouri, this 2nd day of June 2004.

LABOR AND INDUSTRIAL RELATIONS COMMISSION




Patrick Deaton, Acting Chairman



Ken Legan, Member


John J. Hickey, Member

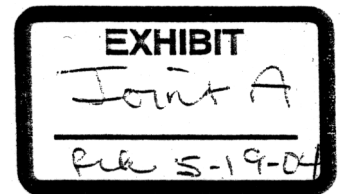
Attest:


Pamela M. Hofmann
Secretary

BEFORE THE
LABOR AND INDUSTRIAL RELATIONS COMMISSION
STATE OF MISSOURI

In the matter of:

Objection Filed By
IBEW Local Union No. 1
International Brotherhood of Electrical Workers,
AFL-CIO and its Affiliated Local Unions
Annual Wage Order No. 11
Issued by the Division of Labor
Standards for 114 Counties and the
City of St. Louis, Missouri



STIPULATION OF FACT

Comes now the Missouri Department of Labor and Industrial Relations, Division of Labor Standards, together with the undersigned parties, and stipulates to the following facts:

The Missouri Department of Labor and Industrial Relations, Division of Labor Standards, gathered information to establish on a statewide basis the work description for the Occupational Title of Electrician (Inside Wireman) in 8 CSR 30-3.060 by grouping together work that is similar in character.

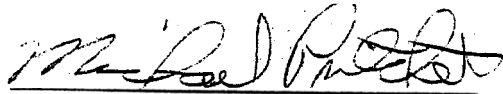
2. 8 CSR 30-3.060(6) permits a party, who is not satisfied with a work description, to assert that a different work description should apply.
3. Objectors requested a change to the definition of Electrician (Inside Wireman) 8 CSR 30-3.060(8)(G)1B. The Department believes that the proposed change more clearly describes the work falling within the Occupational Title of Electrician (Inside Wireman). The Division, the objectors and the interveners propose that the Occupational Title work description language for Electrician (Inside Wireman) 8 CSR 30-3.060(G)1B be changed to read as follows:

All handling, moving, loading and unloading of any electrical materials, materials used in association with an electrical system, electrical equipment,

and electrical apparatus on the job site, whether by hand or where power equipment and rigging are required.

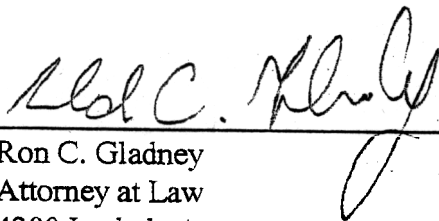
4. Wherefore, the parties pray the Commission issue an order adopting the aforementioned changes to the occupational title of Electrician (Inside Wireman). The parties' further request that the order indicate that these definitions are to be used in conjunction with Annual Wage Order No. 11 and the Occupational Title Rule, 8 CSR 30-3.060 be amended pursuant to Section 290.240.2 RSMo to reflect the change.

JEREMIAH W. (JAY) NIXON
Attorney General

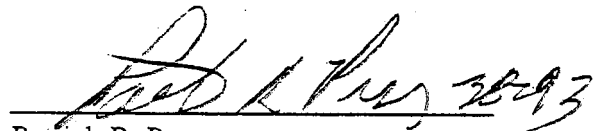


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